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## NOTICE OF ALLOWANCE AND FEE(S) DUE

22913 7590 07/06/2010

Workman Nydegger  
1000 Eagle Gate Tower  
60 East South Temple  
Salt Lake City, UT 84111

EXAMINER

JOYNER, KEVIN

ART UNIT

PAPER NUMBER

1797

DATE MAILED: 07/06/2010

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/509,192

09/24/2004

Nicholas Mark Adams

15568.21

7407

TITLE OF INVENTION: METHODS AND APPARATUS FOR DECONTAMINATING ENCLOSED SPACES

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	10/06/2010

**THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.**

**THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.**

### HOW TO REPLY TO THIS NOTICE:

#### I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.**

# **PART B - FEE(S) TRANSMITTAL**

**Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE  
Commissioner for Patents  
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or Fax (571)-273-2885**

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

22913 7590 07/06/2010

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1000 Eagle Gate Tower  
60 East South Temple  
Salt Lake City, UT 84111

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

## **Certificate of Mailing or Transmission**

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/509,192 09/24/2004 Nicholas Mark Adams 15568.21 7407

TITLE OF INVENTION: METHODS AND APPARATUS FOR DECONTAMINATING ENCLOSED SPACES

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
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nonprovisional NO \$1510 \$300 \$0 \$1810 10/06/2010

EXAMINER	ART UNIT	CLASS-SUBCLASS
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JOYNER, KEVIN 1797 422-029000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 \_\_\_\_\_
- (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 \_\_\_\_\_
- 3 \_\_\_\_\_

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE (B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent) : ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
- ☐ Publication Fee (No small entity discount permitted)
- ☐ Advance Order - # of Copies \_\_\_\_\_

4b. Payment of Fee(s); (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number \_\_\_\_\_ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature \_\_\_\_\_

Date \_\_\_\_\_

Typed or printed name \_\_\_\_\_

Registration No. \_\_\_\_\_

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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EXAMINER

JOYNER, KEVIN

ART UNIT

PAPER NUMBER

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## Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 252 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 252 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/509,192	ADAMS ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	KEVIN C. JOYNER	1797	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Claims filed on May 6, 2010.
2. ☒ The allowed claim(s) is/are 51-90.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
    3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_.

**Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |   |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application                     |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date ____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date ____     | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                   |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance  |
|  | 9. <input type="checkbox"/> Other ____.   |

/Sean E Conley/  
Primary Examiner, Art Unit 1797

## ALLOWANCE

### *Drawings*

1. The drawings and amendments to the specification were received on May 6, 2010. These drawings and specification amendments are acceptable.

## REJOINDER OF PREVIOUSLY RESTRICTED SPECIES

2. Claims 51-90 are allowable. Claims 61, 62 and 73, previously withdrawn from consideration as a result of a restriction requirement, require all the limitations of an allowable claim. Pursuant to the procedures set forth in MPEP § 821.04(a), **the restriction requirement between inventions of Species I and II, as set forth in the Office action mailed on February 26, 2007, is hereby withdrawn** and claims 61, 62 and 73 are hereby rejoined and fully examined for patentability under 37 CFR 1.104. In view of the withdrawal of the restriction requirement, applicant(s) are advised that if any claim presented in a continuation or divisional application is anticipated by, or includes all the limitations of, a claim that is allowable in the present application, such claim may be subject to provisional statutory and/or nonstatutory double patenting rejections over the claims of the instant application. Once the restriction requirement is withdrawn, the provisions of 35 U.S.C. 121 are no longer applicable. See *In re Ziegler*, 443 F.2d 1211, 1215, 170 USPQ 129, 131-32 (CCPA 1971). See also MPEP § 804.01.

### **EXAMINER'S AMENDMENT**

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

The application has been amended as follows:

Claim 51, line 17, delete "introducing hydrogen peroxide/water vapour" and insert --introducing a hydrogen peroxide and water vapour mixture--.

Claim 51, line 19, delete "the hydrogen peroxide/water vapour" and insert --the hydrogen peroxide and water vapour mixture--.

Claim 51, line 21, delete "the hydrogen peroxide/water vapour" and insert --the hydrogen peroxide and water vapour mixture--.

Claim 51, line 23, delete "the hydrogen peroxide/water vapour" and insert --the hydrogen peroxide and water vapour mixture--.

Claim 51, line 24, delete "flash evaporation chamber the aqueous solution" and insert --flash evaporation chamber an aqueous solution--.

Claim 51, line 26, delete "introducing hydrogen peroxide/water vapour" and insert --introducing the hydrogen peroxide and water vapour mixture--.

Claim 52, line 3, delete "the hydrogen peroxide/water vapour" and insert --the hydrogen peroxide and water vapour mixture--.

Art Unit: 1797

Claim 53, line 2, delete “the hydrogen peroxide/water vapour” and insert --the hydrogen peroxide and water vapour mixture--.

Claim 53, line 4, delete “introducing hydrogen peroxide/water vapour” and insert - --introducing the hydrogen peroxide and water vapour mixture--.

Claim 55, line 2, delete “introducing hydrogen peroxide/water vapour” and insert --introducing the hydrogen peroxide and water vapour mixture--.

Claim 55, line 3, delete “of hydrogen peroxide/water vapour” and insert --of the hydrogen peroxide and water vapour mixture--.

Claim 56, line 3, delete “of hydrogen peroxide/water vapour” and insert --of the hydrogen peroxide and water vapour mixture--.

Claim 56, lines 4 and 5, delete “the hydrogen peroxide/water vapour” and insert - -the hydrogen peroxide and water vapour mixture--.

Claim 57, line 2, delete “the hydrogen peroxide/water vapour” and insert --the hydrogen peroxide and water vapour mixture--.

Claim 58, line 2, delete “the hydrogen peroxide/water vapour” and insert --the hydrogen peroxide and water vapour mixture--.

Claim 58, line 3, delete “the hydrogen peroxide/water vapour” and insert --the hydrogen peroxide and water vapour mixture--.

Claim 59, line 2, delete “the hydrogen peroxide/water vapour” and insert --the hydrogen peroxide and water vapour mixture--.

Claim 60, line 2, delete “the hydrogen peroxide/water vapour” and insert --the hydrogen peroxide and water vapour mixture--.

Art Unit: 1797

Claim 61, lines 1 and 2, delete “the hydrogen peroxide/water vapour” and insert -the hydrogen peroxide and water vapour mixture--.

Claim 62, line 2, delete “the hydrogen peroxide/water vapour” and insert --the hydrogen peroxide and water vapour mixture--.

Claim 63, lines 2 and 3, delete “the hydrogen peroxide/water vapour” and insert -the hydrogen peroxide and water vapour mixture--.

Claim 65, line 4, delete “the hydrogen peroxide/water vapour” and insert --the hydrogen peroxide and water vapour mixture--.

Claim 65, lines 6 and 7, delete “the hydrogen peroxide/water vapour” and insert -the hydrogen peroxide and water vapour mixture--.

Claim 66, lines 2 and 3, delete “the hydrogen peroxide/water vapour” and insert -the hydrogen peroxide and water vapour mixture--.

Claim 67, line 3, delete “the hydrogen peroxide/water vapour” and insert --the hydrogen peroxide and water vapour mixture--.

Claim 69, lines 2 and 3, delete “introducing hydrogen peroxide/water vapour” and insert --introducing the hydrogen peroxide and water vapour mixture--.

Claim 69, lines 5 and 6, delete “delivering hydrogen peroxide/water vapour” and insert --delivering the hydrogen peroxide and water vapour mixture--.

Claim 69, line 7, delete “carrying hydrogen peroxide/water vapour” and insert --carrying the hydrogen peroxide and water vapour mixture--.

Claim 69, line 8, delete “hydrogen peroxide/water vapour” and insert --hydrogen peroxide and water vapour mixture--.

Art Unit: 1797

Claim 69, line 9, delete "hydrogen peroxide/water vapour" and insert --hydrogen peroxide and water vapour mixture--.

Claim 70, lines 17 and 18, delete "hydrogen peroxide/water vapour" and insert --hydrogen peroxide and water vapour mixture--.

Claim 70, line 19, delete "hydrogen peroxide/water vapour" and insert --hydrogen peroxide and water vapour mixture--.

Claim 70, lines 21 and 22, delete "hydrogen peroxide/water vapour" and insert --hydrogen peroxide and water vapour mixture--.

Claim 70, lines 25 and 26, delete "hydrogen peroxide/water vapour" and insert --hydrogen peroxide and water vapour mixture--.

Claim 70, line 28, delete "hydrogen peroxide/water vapour" and insert --hydrogen peroxide and water vapour mixture--.

Claim 73, lines 1 and 2, delete "hydrogen peroxide/water vapour" and insert --hydrogen peroxide and water vapour mixture--.

Claim 75, line 2, delete "hydrogen peroxide/water vapour" and insert --hydrogen peroxide and water vapour mixture--.

Claim 75, line 4, delete "introducing hydrogen peroxide/water vapour" and insert --introducing the hydrogen peroxide and water vapour mixture--.

Claim 79, lines 1 and 2, delete "hydrogen peroxide/water vapour" and insert --hydrogen peroxide and water vapour mixture--.

Claim 80, lines 1 and 2, delete "hydrogen peroxide/water vapour" and insert --hydrogen peroxide and water vapour mixture--.

Claim 81, line 3, delete “hydrogen peroxide/water vapour” and insert --hydrogen peroxide and water vapour mixture--.

Claim 82, line 3, delete “hydrogen peroxide/water vapour” and insert --hydrogen peroxide and water vapour mixture--.

Claim 83, line 6, delete “introducing hydrogen peroxide/water vapour” and insert --introducing the hydrogen peroxide and water vapour mixture--.

Claim 83, line 7, delete “hydrogen peroxide/water vapour” and insert --hydrogen peroxide and water vapour mixture--.

Claim 84, line 6, delete “introducing hydrogen peroxide/water vapour” and insert --introducing the hydrogen peroxide and water vapour mixture--.

Claim 84, line 7, delete “hydrogen peroxide/water vapour” and insert --hydrogen peroxide and water vapour mixture--.

Claim 85, line 4, delete “introducing hydrogen peroxide/water vapour” and insert --introducing the hydrogen peroxide and water vapour mixture--.

Claim 85, line 5, delete “hydrogen peroxide/water vapour” and insert --hydrogen peroxide and water vapour mixture--.

Claim 86, lines 4 and 5, delete “hydrogen peroxide/water vapour” and insert --hydrogen peroxide and water vapour mixture--.

Claim 87, lines 4 and 5, delete “hydrogen peroxide/water vapour” and insert --hydrogen peroxide and water vapour mixture--.

Claim 88, lines 6 and 7, delete “hydrogen peroxide/water vapour” and insert --hydrogen peroxide and water vapour mixture--.

Claim 89, line 4, delete “within the enclosed space within the enclosed space” and insert --within the enclosed space--.

Claim 89, lines 6 and 7, delete “hydrogen peroxide/water vapour” and insert --hydrogen peroxide and water vapour mixture--.

Claim 90, lines 4 and 5, delete “hydrogen peroxide/water vapour” and insert --hydrogen peroxide and water vapour mixture--.

***Allowable Subject Matter***

4. Claims 51-90 are allowed.
5. The following is an examiner’s statement of reasons for allowance:

The closest prior art of record, does not teach suggest or disclose a method of decontaminating an enclosed space by positioning an apparatus including a flash evaporator within the enclosed space and introducing a hydrogen peroxide vapor mixture to the enclosed space from the apparatus as set forth in independent claims 51 and 70; wherein the hydrogen peroxide vapor mixture is introduced into the enclosed space by flash evaporating the mixture until the vapor simultaneously and continuously condenses on all the surfaces in the enclosed space including the exterior surface of the flash evaporator in order to decontaminate all the surfaces in the enclosed space including the flash evaporator.

Curry (U.S. Patent No. 5,480,615) discloses a method of decontaminating an enclosed space by creating a recirculating heated airstream within an enclosed space by: (i) continuously drawing air from an atmosphere within the enclosed space to form

Art Unit: 1797

an air stream (column 4, lines 5), and progressively introducing a sterilant/water vapor from a vaporizer into the recirculating heated airstream so as to decontaminate surfaces in the space, wherein the recirculated heated airstream and introduction of the sterilant/water vapor mixture are performed by an apparatus that is disposed within the enclosed space (Figures 2-5; column 3, lines 40-68; column 4, lines 5-55). Curry does not disclose that the sterilant is introduced by flash evaporating the sterilant in a manner such that the sterilant simultaneously and continuously condenses on all the surfaces in the enclosed space. Curry also does not disclose that the vaporizer is provided in such a position such that the exterior surface of the vaporizer is exposed to the sterilant vapor.

Watling (UK Patent Application GB 2 354 443) discloses a method of decontaminating an enclosed space with a piping system by flash evaporating (page 10, lines 5-30) a hydrogen peroxide/water vapor and introducing the vapor into the enclosed space to decontaminate the surfaces of the enclosed space. Watling continues to disclose that the hydrogen peroxide/water vapor is progressively introduced into a recirculated heated airstream in a controlled manner such that the atmosphere within the enclosed space reaches a dew point that causes the sterilant within the atmosphere to condense onto substantially all surfaces within the enclosed space (pages 5, 7 and 8). Watling does not disclose an apparatus that is located within the enclosed space, wherein the flash evaporator is provided in a manner such that the exterior surface of the flash evaporator is exposed to the sterilant vapor.

As such, the closest prior art of record, namely Curry and Watling do not disclose, teach or suggest a method of decontaminating an enclosed space by positioning an apparatus including a flash evaporator within the enclosed space to produce a hydrogen peroxide vapor mixture as set forth in independent claims 51 and 70; wherein the hydrogen peroxide vapor mixture is introduced into the enclosed space by flash evaporating the mixture until the vapor simultaneously and continuously condenses on all the surfaces in the enclosed space including the exterior surface of the flash evaporator in order to decontaminate all the surfaces in the enclosed space including the flash evaporator.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KEVIN C. JOYNER whose telephone number is (571)272-2709. The examiner can normally be reached on M-F 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jill Warden can be reached on (571) 272-1267. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 1797

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

KCJ

/Sean E Conley/  
Primary Examiner, Art Unit 1797

Application/Control Number: 10/509,192  
Art Unit: 1797

Page 12